

*Di-az et al v. Tesla, Inc. et al*  
U.S. District Court for the Northern District of California  
Case No. 17-cv-06748-WHO

## **EXHIBIT 14**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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DEMETRIC DI-AZ, OWEN DIAZ,  
and LAMAR PATTERSON,

Plaintiffs,

vs.

No. 3:17-cv-06748-WHO

TESLA, INC., dba TESLA  
MOTORS, INC.; CITISTAFF  
SOLUTIONS, INC.; WEST VALLEY  
STAFFING GROUP; CHARTWELL  
STAFFING SERVICES, INC.;  
and DOES 1-50, inclusive,

Defendants.

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DEPOSITION OF JAVIER CABALLERO

June 7, 2018

Reported by:

Bridget M. Mattos, CSR No. 11410

JAVIER CABALLERO

June 7, 2018

1 the key performance indicators?

2 MS. ANTONUCCI: Objection; lacks foundation.

3 THE WITNESS: I evaluated my team members  
4 based on those.

5 MR. ORGAN: Q. Did you have the ability to  
6 hire production associates as a supervisor?

7 A. No.

8 Q. Did you have the ability to recommend that  
9 someone be hired as a production associate, when you  
10 were a supervisor?

11 MS. ANTONUCCI: Objection; vague, lacks  
12 foundation.

13 THE WITNESS: Come back with that again.

14 MR. ORGAN: Yeah.

15 Q. Could you, like, recommend someone: "Hey, I  
16 think we should hire so-and-so"?

17 MS. ANTONUCCI: Objection; vague, lacks  
18 foundation.

19 THE WITNESS: No, they would ask for our  
20 input, but never recommend.

21 MR. ORGAN: Q. I see. But you could give  
22 input on whether someone was hired or not; right?

23 MS. ANTONUCCI: Objection; lacks foundation.

24 THE WITNESS: Just input.

25 MR. ORGAN: Okay.

JAVIER CABALLERO

June 7, 2018

1        Q.    And then, could you fire someone who was on  
2        your production team?

3                MS. ANTONUCCI:    Objection; vague, lacks  
4        foundation.

5                THE WITNESS:    I could not fire.

6                MR. ORGAN:    Q.    You could recommend if  
7        someone would be fired, though; is that right?

8                MS. ANTONUCCI:    Objection; vague.

9                THE WITNESS:    I could not.

10               MS. ANTONUCCI:    Lacks foundation.

11               MR. ORGAN:    Q.    Did you play any role in any  
12        termination of any employee at any time while you were  
13        a supervisor?

14               **A.    What do you mean by that?**

15               Q.    Meaning, did you make any kind of suggestion  
16        to anyone at Tesla that an employee or a contractor  
17        should be fired?

18               MS. ANTONUCCI:    Objection; vague, lacks  
19        foundation.

20               THE WITNESS:    I don't make suggestions.

21               MR. ORGAN:    Q.    Did you make any kind of  
22        request that someone be fired?

23               MS. ANTONUCCI:    Objection; vague, lacks  
24        foundation.

25               THE WITNESS:    No.

JAVIER CABALLERO

June 7, 2018

1 State of California )

2 County of Marin )

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4 I, Bridget M. Mattos, hereby certify  
5 that the witness in the foregoing deposition was by me  
6 duly sworn to testify to the truth, the whole truth  
7 and nothing but the truth in the within entitled  
8 cause; that said deposition was taken at the time and  
9 place herein named; that the deposition is a true  
10 record of the witness's testimony as reported to the  
11 best of my ability by me, a duly certified shorthand  
12 reporter and disinterested person, and was thereafter  
13 transcribed under my direction into typewriting by  
14 computer; that the witness was given an opportunity to  
15 read, correct and sign the deposition.

16 I further certify that I am not  
17 interested in the outcome of said action nor connected  
18 with or related to any of the parties in said action  
19 nor to their respective counsel.

20 IN WITNESS WHEREOF, I have hereunder  
21 subscribed my hand on June 7, 2018.

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23 BRIDGET M. MATTOS, CSR NO. 11410

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